

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No.: _____/19

-----X
JANE DOE,Plaintiffs designate
NEW YORK COUNTY
as place of trial.*Plaintiff,*

-against -

The basis of venue is
location of the acts that give
rise to the case.ROMAN CATHOLIC DIOCESE OF SYRACUSE,
GETHSEMANE UNITED METHODIST CHURCH,
and THE UPPER NEW YORK CONFERENCE OF
THE UNITED METHODIST CHURCH,SUMMONS*Defendants.*
-----X

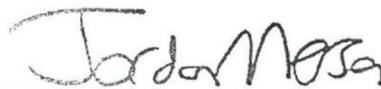
To the above-named defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case your failure to appear or answer, judgement will be taken for the relief demanded herein.

A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT, NEW YORK COUNTY ON _____ IN COMPLIANCE WITH CPLR §§305(a) AND 306(a).

Dated: New York, New York
August 14, 2019

MERSON LAW, PLLC

By: 
Jordan K. Merson
Attorneys for Plaintiff
150 East 58th Street 34th Floor
New York, New York 10155
(212) 603-9100

TO:
ROMAN CATHOLIC DIOCESE OF SYRACUSE
240 E Onondaga St,
Syracuse, NY 13202

GETHSEMANE UNITED METHODIST CHURCH
1700 Butternut Street
Syracuse, New York 13208

THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH
7481 Henry Clay Blvd.
Liverpool, New York 13088

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No.: _____/19

-----X
JANE DOE,*Plaintiff,*

-against -

**VERIFIED
COMPLAINT**ROMAN CATHOLIC DIOCESE OF SYRACUSE,
GETHSEMANE UNITED METHODIST CHURCH,
and THE UPPER NEW YORK CONFERENCE OF
THE UNITED METHODIST CHURCH,*Defendants.*
-----X

Plaintiff,¹ above named, complaining of the defendants, by **MERSON LAW, PLLC.**,
respectfully allege(s):

NATURE OF THE CLAIM

1. This is a case of plaintiff Jane Doe who was sexually abused as a child by Rev. Phillip E. Fried ("Fried") at and of Gethsemane United Methodist Church ("Church"), Roman Catholic Diocese of Syracuse ("Diocese") and The Upper New York Conference of the United Methodist Church ("Conference").
2. Fried was the agent, servant and/or employee of Gethsemane United Methodist Church which operated under the exclusive control of the Diocese, Conference and/or Church. Fried was known among the community and the children as a sexual predator.
3. Despite the Diocese, Gethsemane United Methodist Church, and/or The Upper New York Conference of The United Methodist Church's knowledge that Fried sexually abused children and/or had the propensity to sexually abuse children, the Diocese,

¹ Plaintiff uses a pseudonym because she is a victim of a sex crime pursuant to N.Y. Civ. Rights § 50-b and other statutory and common law principles.

Gethsemane United Methodist Church, and/or The Upper New York Conference of The United Methodist Church allowed Fried unfettered access to children.

4. Despite the Diocese, Conference and/or Church's knowledge that the Fried sexually abused children and/or had the propensity to sexually abuse children, the Diocese, Conference and/or Church allowed Fried unfettered access to children, including on Defendant's premises, and/or property and without supervision.
5. Beginning in or about 1973 and continuing until approximately 1974, Fried, while under the scope of employment with the Diocese, Conference and/or Church and while acting on behalf of the Diocese, Conference and/or Church, would sexually abuse Plaintiff, then between fifteen and seventeen years old, by fondling her vagina and breasts, forcing her to engage in oral sex, raping her and otherwise sexually abusing her.
6. Plaintiff brings this lawsuit to recover for the emotional and physical suffering he endured because of the negligence of the Diocese, Conference and/or Church and to make sure no other child is forced to suffer the abuse and physical and mental trauma she felt and continues to feel.

PARTIES

7. At all times herein mentioned defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** was a not for profit corporation incorporated in the state of New York and by virtue of the laws of the State of New York.
8. At all times herein mentioned, defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** was located at 240 E Onondaga St, Syracuse, NY 13202.
9. At all times herein mentioned, Fried was an agent, servant and/or employee operating under the direction and control of defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE**, and its agents, servants and/or employees.

10. At all times herein mentioned **GETHSEMANE UNITED METHODIST CHURCH** was a not for profit corporation incorporated in the state of New York and by virtue of the laws of the State of New York.
11. At all times herein mentioned, defendant **GETHSEMANE UNITED METHODIST CHURCH** was located at 1700 Butternut Street, Syracuse, New York 13208
12. At all times herein mentioned, Fried was an agent, servant and/or employee operating under the direction and control of defendant **GETHSEMANE UNITED METHODIST CHURCH**, and its agents, servants and/or employees.
13. At all times herein mentioned, the Fried was an agent, servant and/or employee operating under the direction and control of defendant **GETHSEMANE UNITED METHODIST CHURCH**, and its agents, servants and/or employees.
14. At all times herein mentioned defendant **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH** was a not for profit corporation incorporated in the state of New York and by virtue of the laws of the State of New York.
15. At all times herein mentioned, defendant **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH** was located at 7481 Henry Clay Blvd., Liverpool, New York 13088.
16. At all times herein mentioned, the Fried was an agent, servant and/or employee operating under the direction and control of defendant **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH**, and its agents, servants and/or employees.
17. At all times herein mentioned, **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH** was an agent, servant and/or employee operating

under the direction and control of defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** and/or **GETHSEMANE UNITED METHODIST CHURCH** and its agents, servants and/or employees.

18. At all times herein mentioned, defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** and/or **GETHSEMANE UNITED METHODIST CHURCH** and defendant **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH** were agents, servants, employees and/or alter egos of each other
19. At all times herein mentioned, the Fried was an agent, servant and/or employee operating under the direction and control of defendant and its agents, servants and/or employees.

FACTS OF THE CASE

20. Defendants **ROMAN CATHOLIC DIOCESE OF SYRACUSE, GETHSEMANE UNITED METHODIST CHURCH, and THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH's** negligence and recklessness caused the Fried to have access to children, including on Defendants' premises, Church and/or property, despite their knowledge that Fried sexually abused children and/or had the propensity to sexually abuse children without proper supervision and therefore are responsible for the injuries that Plaintiff incurred because but for Defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE, GETHSEMANE UNITED METHODIST CHURCH, and THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH's** negligence, Plaintiff would not have suffered the mental and physical anguish inflicted by Fried. Defendants' gross negligence, reckless, wanton, and/or willful conduct supports punitive liability.

21. Fried sexually assaulted Plaintiff and other children of the Church. Nonetheless, defendants **ROMAN CATHOLIC DIOCESE OF SYRACUSE, GETHSEMANE UNITED METHODIST CHURCH, and/or THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH** failed to remove Fried from his position or to take any steps to keep the dangerous predator away from children. In fact, the Diocese, Church and Conference continued to allow, encourage and/or permit Fried to have unfettered access to children, without proper supervision on their premises and property.
22. In approximately 1973 and continuing through approximately 1974, Fried would sexually abuse plaintiff in his car, at the Church, in Motels, a YMCA in Manhattan, and other locations.
23. Beginning in 1973 when Plaintiff was approximately fifteen years old, Fried, in an effort to groom Plaintiff for the sexual abuse that would ensue, would call Plaintiff into his office located at the Church under the guise of talking about her difficult home life.
24. Once Fried gained Plaintiff's trust, he began to sexually abuse her regularly. Fried would fondle Plaintiff's vagina and breasts, force plaintiff to engage in oral sex and rape her repeatedly on Diocese, Church and Conference premises.
25. Fried would pick Plaintiff up from school and forcefully push her head onto his penis, forcing him to engage in oral sex with her. Plaintiff would choke, gag and cry, but Fried would not stop.
26. Fried would occasionally take Plaintiff to various motels and rape her and force her to engage in oral sex.
27. On one occasion, Fried took Plaintiff to the YMCA located in New York, New York on a youth fellowship trip, sponsored by the Church, Diocese and/or Conference where he

arranged Plaintiff to stay overnight in the same room as him. The abuse she endured was so horrible that plaintiff blacked out, but she remembers there was an exorbitant amount of blood from her vagina and rectum. In the morning, Fried was gleaming with pride, while plaintiff was mortified.

28. Fried used his position of power and authority as a priest provided to him by the Diocese, Church and Conference to manipulate Plaintiff and her family into trusting him and not reporting him.
29. Fried used his position of power and authority as a priest provided to him by the Diocese, Church and Conference to manipulate Plaintiff into not disclosing the abuse claiming that their relationship was love.
30. During the sexually abusive and manipulative relationship of the adult priest Fried and teenaged plaintiff, Fried wanted plaintiff to wear a ring. When plaintiff attempted to escape the abuse, Fried threatened to kill himself if she did not continue to comply with the abuse.
31. After Plaintiff was able to escape the sexual abuse of Fried, he found out where she worked and would park in front of her office and call the office frequently.
32. As such, Plaintiff suffered catastrophic and lifelong injuries as a result of defendants **ROMAN CATHOLIC DIOCESE OF SYRACUSE, GETHSEMANE UNITED METHODIST CHURCH**, and **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH's** negligence in undertaking a duty, including but not limited to in locis parentis, in failing to protect the children of it schools, parishes and of its community safe from Fried despite the Diocese, Church and Conference having knowledge that Fried abused and/or sexually abused children and/or had the propensity to abuse and/or sexually abuse children, and/or allowing Fried to continue to

have his positions of authority and power with unfettered access to children on defendants' premises and property without proper supervision, and the Diocese failed to adequately supervise Fried, including on Diocese, Church and Conference premises.

AS AND FOR A FIRST CAUSE OF ACTION FOR NEGLIGENCE

AS TO THE ROMAN CATHOLIC DIOCESE OF SYRACUSE

33. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 32. inclusive, with the same force and effect as if hereinafter set forth at length.
34. At all times mentioned herein, defendant **ARCHDIOCESE OF NEW YORK** owed a duty of care, including but not limited to in locis parentis, to keep the children of its parish, home and school safe from the abuse and/or sexual abuse by its agents, servants and or employees under its supervision and control, including on company premises, that ultimately befell the plaintiff, and they had a duty to supervise Fried.
35. At all times mentioned herein, defendant **ARCHDIOCESE OF NEW YORK** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted.
36. As a result of the negligence of defendant **ARCHDIOCESE OF NEW YORK** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
37. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

38. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
39. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
40. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A SECOND CAUSE OF ACTION FOR NEGLIGENCE

AS TOGETHSEMANE UNITED METHODIST CHURCH

41. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 40. inclusive, with the same force and effect as if hereinafter set forth at length.
42. At all times mentioned herein, defendant **GETHSEMANE UNITED METHODIST CHURCH** owed a duty of care, including but not limited to in locis parentis, to keep the children of its parish, home and school safe from the abuse and/or sexual abuse by its agents, servants and or employees under its supervision, including on company premises, and control that ultimately befell the plaintiff, and they had a duty to properly supervise Fried.
43. At all times mentioned herein, defendant **GETHSEMANE UNITED METHODIST CHURCH** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted.
44. As a result of the negligence of defendant **GETHSEMANE UNITED METHODIST CHURCH** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or

physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

45. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
46. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
47. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
48. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A THIRD CAUSE OF ACTION FOR NEGLIGENCE

AS TO THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST

CHURCH

49. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 47. inclusive, with the same force and effect as if hereinafter set forth at length.
50. At all times mentioned herein, defendant **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH** owed a duty of care, including but not limited to in locis parentis, to keep the children of its parish, home and school safe from the abuse and/or sexual abuse by its agents, servants and or employees under its supervision, including on company premises, and control that ultimately befell the plaintiff, and they had a duty to supervise Fried.
51. At all times mentioned herein, defendant **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH** and/or its agents, servants and/or

employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted.

52. As a result of the negligence of defendant **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
53. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
54. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
55. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
56. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A FOURTH CAUSE OF ACTION FOR NEGLIGENT HIRING,
RETENTION AND SUPERVISION AS TO THE ROMAN CATHOLIC DIOCESE OF
SYRACUSE**

57. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 56. inclusive, with the same force and effect as if hereinafter set forth at length.
58. Defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE**, had a duty to supervise and prevent known risks of harm to the children of its parish, home and school by its agents, servants and/or employees.

59. Defendant was negligent in hiring, retaining and supervising their personnel, such as Fried who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of clergy, church and/or school officials and supervisors who should have properly been supervising the agents, servants and/or employees and church officials to ensure the safety of the children of its parish, home and school.
60. Defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** knew or should have known Fried abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Fried.
61. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
62. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
63. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
64. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
65. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR A FIFTH CAUSE OF ACTION FOR NEGLIGENT HIRING,

RETENTION AND SUPERVISION AS TO

GETHSEMANE UNITED METHODIST CHURCH

66. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 65., inclusive, with the same force and effect as if hereinafter set forth at length.
67. Defendant **GETHSEMANE UNITED METHODIST CHURCH**, had a duty to supervise and prevent known risks of harm to the children of its home and school by its agents, servants and/or employees.
68. Defendant was negligent in hiring, retaining and supervising their personnel, such as Fried, who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of clergy, church and/or school officials and supervisors who should have properly been supervising the agents, servants and/or employees and church officials to ensure the safety of the children of its parish, home and school.
69. Defendant **GETHSEMANE UNITED METHODIST CHURCH** knew or should have known Fried sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failing to properly supervise Fried.
70. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
71. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
72. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.

AS AND FOR A SIXTH CAUSE OF ACTION FOR NEGLIGENT HIRING,
RETENTION AND SUPERVISION AS TO
THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST
CHURCH

73. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 72. inclusive, with the same force and effect as if hereinafter set forth at length.
- Defendant **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH**, had a duty to supervise and prevent known risks of harm to the children of its home and school by its agents, servants and/or employees.
74. Defendant was negligent in hiring, retaining and supervising their personnel, such as Fried, who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of clergy, church and/or school officials and supervisors who should have properly been supervising the agents, servants and/or employees and church officials to ensure the safety of the children of its parish, home and school.
75. Defendant **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH** knew or should have known Fried sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it, and failed to properly supervise Fried.
76. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

77. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
78. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
79. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
80. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE SEVENTH CAUSE OF ACTION FOR NEGLIGENT
INFLICTION OF EMOTIONAL DISTRESS AS TO ROMAN CATHOLIC DIOCESE
OF SYRACUSE**

81. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 80. inclusive, with the same force and effect as if herein set forth at length.
82. Defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** and its agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Fried, an agent, servant and/or employee who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
83. Defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** and its agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.
84. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Fried.

85. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in Fried abusing and/or sexually abusing Plaintiff.
86. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
87. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
88. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
89. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR THE EIGHTH CAUSE OF ACTION FOR NEGLIGENT INFLECTION
OF EMOTIONAL DISTRESS AS TO GETHSEMANE UNITED METHODIST
CHURCH

90. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 89. inclusive, with the same force and effect as if herein set forth at length.
91. Defendant **GETHSEMANE UNITED METHODIST CHURCH** and its agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Fried, the agent, servant and/or employee who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
92. Defendant **GETHSEMANE UNITED METHODIST CHURCH** and its agents, servants and/or employees knew or reasonably should have known that the sexual abuse

and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

93. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Fried.
94. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in Fried abusing and/or sexually abusing Plaintiff.
95. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
96. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
97. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
98. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR THE NINTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION
OF EMOTIONAL DISTRESS AS TO THE UPPER NEW YORK CONFERENCE OF
THE UNITED METHODIST CHURCH

99. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 97. inclusive, with the same force and effect as if herein set forth at length.
100. Defendant **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH** and its agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire

Fried, the agent, servant and/or employee who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

101. Defendant **THE UPPER NEW YORK CONFERENCE OF THE UNITED METHODIST CHURCH** and its agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

102. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Fried.

103. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted in Fried abusing and/or sexually abusing Plaintiff.

104. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.

105. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.

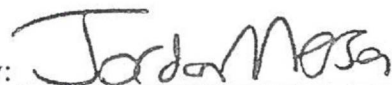
106. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

107. This action falls within exceptions to Article 16 of the C.P.L.R.

WHEREFORE, plaintiff demands judgement against defendants in such sum as a jury would find fair, adequate and just.

Dated: New York, New York
August 14, 2019

MERSON LAW, PLLC

By: 
Jordan K. Merson
Attorney for Plaintiffs
150 East 58th Street 34th Floor
New York, New York 10155
(212) 603-9100

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

Index No.:

_____/19

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JANE DOE,*Plaintiff,**-against -***ATTORNEY
VERIFICATION**ROMAN CATHOLIC DIOCESE OF SYRACUSE,
GETHSEMANE UNITED METHODIST CHURCH,
and, THE UPPER NEW YORK CONFERENCE OF
THE UNITED METHODIST CHURCH*Defendants.*-----X
JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York
State, and a member of the firm MERSON LAW, PLLC., attorneys for the plaintiffs in
the within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the
same is true to his own knowledge, except as to the matters therein stated to be alleged upon
information and belief, and that as to those matters he believes it to be true.

That the sources of his information and knowledge are investigations and records in
the file.

That the reason this verification is made by affirmant and not by the plaintiff is that
the plaintiff is not within the County where the attorney has his office.

Dated: New York, New York
August 14, 2019



JORDAN K. MERSON

Index No.

Year 2019

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

JANE DOE,

Plaintiff,

- against -

ROMAN CATHOLIC DIOCESE OF SYRACUSE,
GETHSEMANE UNITED METHODIST CHURCH, THE
UPPER NEW YORK CONFERENCE OF THE UNITED
METHODIST CHURCH.,

Defendant(s),

SUMMONS AND VERIFIED COMPLAINT

Merson Law, PLLC.

Attorneys for Plaintiff(s)

Office and Post Office Address, Telephone
150 East 58th Street 34th Fl.
New York, New York 10155
(212) 603-9100

To: All Parties
